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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,922	02/20/2004	Takahiro Goto	Q79960	5330
23373	7590	04/18/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			GILLIAM, BARBARA LEE	
			ART UNIT	PAPER NUMBER
			1752	

DATE MAILED: 04/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/781,922

Applicant(s)

GOTO, TAKAHIRO

Examiner

Barbara L. Gilliam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/4/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Oshima (EP 1 176 467 A1).

- a. The negative working photosensitive lithographic printing plate of Oshima anticipates the presently claimed photosensitive composition and planographic printing plate. Specifically, the negative working photosensitive lithographic printing plate of Oshima et al. comprises a support and at least one photosensitive layer in an amount of 0.1 to 10 g/m² [0099] wherein the photosensitive layer comprises a binder polymer having repeating units represented by formula (I), a photo- or heat-polymerization initiator and a compound having at least one ethylenically unsaturated bond (abstract; [0015]-[0031]; claims). Addition-polymerizable urethane compounds including vinyl urethane compounds having two or more polymerizable vinyl groups per molecule are among the preferred ethylenically unsaturated compounds [0053]-[0054]. The

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polymerization initiator comprises a heat-decomposable radical generator used in combination with an infrared absorber [0066]-[0081]. Preferred radical generators include onium salts such as the sulfonium compound represented by formula (VI) [0082]-[0087]. It is also preferred to form a protective layer on the photosensitive layer and preferred examples of materials usable for forming the protective layer include poly(vinyl alcohol) [0118].

4. Claims 1-4, 6-12,14-18 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Shimada et al. (US 2001/0036598 A1).

a. The heat-mode compatible planographic printing plate of Shimada et al. anticipates the presently claimed photosensitive composition and planographic printing plate precursor. Specifically, the printing plate of Shimada et al. comprises a photosensitive layer coated on to a hydrophilic substrate in an amount of 0.5 to 5.0 g/cm² wherein the photosensitive layer comprises an IR absorber, a polymerization initiator, a compound having a polymerizable unsaturated group and a binder polymer (abstract; [0090]-[0095]). Cyanine dyes are particularly preferred as the IR absorber [0045]-[0052]. Sulfonium salts of general formula (IV) are among the preferred polymerization initiators [0062]-[0065] and urethane type addition-polymerizable compounds are among the preferred compounds having a polymerizable unsaturated group [0070]-[0082]. A protective layer is preferably provided on the photosensitive layer and can be made of polyvinyl alcohol [0123]-[0127]. The planographic printing plate is exposed with infrared rays of wavelengths from 760 nm to 1200 nm [0147].

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. In US 6,861,200 B2, Oshima teach a negative working photosensitive lithographic printing plate. This patent is related to EP 1 176 467 A1.

b. In US 6,794,116 B2, Oshima teach a negative working lithographic printing plate.

c. In US 2003/0186174 A1, Nagase teach an image forming method. The corresponding application is abandoned.

d. In EP 1 449 650 A2 and US 2004/0244619 A1 Goto teach a photosensitive composition and planographic printing plate precursor using the same.

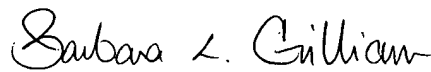
e. In JP 58-134629 A, Nagasaka et al. teach a photopolymerizable composition. A full English translation of this document is underway. (US 2001/0036598 A1).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara L. Gilliam whose telephone number is 571-272-1330. The examiner can normally be reached on Monday through Thursday, 8:00 AM - 5:30 PM.

a. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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b. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Barbara L. Gilliam
Primary Examiner
Art Unit 1752

bg
April 12, 2005